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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,661	03/05/2007	Abraham Kafzan	WBG001-US	4279

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EXAMINER
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WHATLEY, KATELYN B

ART UNIT	PAPER NUMBER
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1792

NOTIFICATION DATE	DELIVERY MODE
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03/12/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@vernmaine.com  
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<b>Office Action Summary</b>	<b>Application No.</b> 10/595,661	<b>Applicant(s)</b> KAFZAN, ABRAHAM	
	<b>Examiner</b> KATELYN WHATLEY	<b>Art Unit</b> 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03/05/2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☒ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/20/2007</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on applications filed in Japan on 01/27/2005, 09/29/2004 and 09/28/2004. It is noted, however, that applicant has not filed a certified copies of the 2005-019486, 2004-283758 and 2004-281494 applications as required by 35 U.S.C. 119(b).

### ***Claim Objections***

2. Claim **13** is objected to because of the following informalities: The claim uses the term "smaller" in reference to speed of rotation. The term smaller is not usually associated with speed and appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 4, 5, and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Applicant uses the term 'sense' to define the rotation type of the rollers. The written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. The use of the term 'sense' in claims **1**, **4**, **5**, and **11** is considered indefinite because rollers do not have the ability to detect and therefore cannot rotate in a sense. The term is indefinite because the specification does not

Art Unit: 1792

clearly redefine the term. For initial examination purposes it has been interpreted that the applicant was intending to use 'direction'. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims **1-5, 7-11 and 14-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2295955 to LA PAGE in view of U.S. 5244263 to KENNEDY.

8. With regards to claim **1** LA PAGE teaches a towel presenting washing and drying machine (**column 1 line 9 and column 3 line 41- column 4 line 27**), first and second rollers spaced-apart (**rollers elements 30 and 78 in figure 2**), a bath (**wash tank element 44 in figure 2**) having a liquid inlet and outlet ports (**column 5 lines 54-60**), a plurality of rod members for guiding towel section through bath (**elements 41 and 42 in figure 2**), means for cleaning the towel section in said bath (**scrubbers column 3 line 28**), a drying drum disposed outside bath between said rollers (**drum element 70 in figure 2**), a motor (**electric motor element 50 in figure 2**) and transmission means (**gear drive device element 52 in figure 2**) coupled to said rollers and the drying drum (**column 3 lines 1-27 and column 5 lines 11-49**), and a controller (**control switch column 5 lines 11-59**).

9. While teaching the towel washer and dispenser, LA PAGE remains silent on the ability of the rollers to rotate in a clockwise and counter-clockwise direction. However,

Art Unit: 1792

one skilled in the art would have found it obvious to make the rollers rotatable in said directions. Furthermore, the ability for rollers to rotate in the clockwise and counter clockwise direction is known in the art.

10. KENNEDY teaches rollers that can move in two directions (**column 8, lines 9-16 and lines 23-28**). Therefore, since LA PAGE teaches the towel presenting device and KENNEDY teaches the multi directional rollers in a towel presenting device it would have been obvious at the time the invention was made to one with ordinary skill in the art to modify the teachings of LA PAGE to include rollers that are rotatable in a clockwise and counter-clockwise direction in order to provide back and forth towel movement, thus minimizing towel rotation while exposing the desired area of the towel to the user.

11. With regards to claim **2**, LA PAGE teaches the means for cleaning the towel being at least one pair of cleaning brushes rotatable inside said bath (**scrubbing roller brushes column 7 lines 14-27**). LE PAGE does not explicitly state the transmission means being coupled to said brushes. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to couple the roller brushes to the transmission. Furthermore LE PAGE does teach that the transmission is coupled to the rolls (**column 3 lines 13-19 and 56-58**). One with ordinary skill in the art at the time the invention was made would know to couple the transmission with the scrubbing roller brushes further enhance the motion of the towel.

12. With regards to claim **3** LA PAGE does not explicitly teach a towel tensioning means. However, it would have been obvious to one of ordinary skill in the art to add

Art Unit: 1792

tensioning means to the towel presenting apparatus because it would keep the towel taut. KENNEDY teaches the use of tension pulleys (**elements 45 and 46 in figure 4**).

Therefore since LA PAGE/KENNEDY teaches the towel presenting machine it would have been obvious at the time to one of ordinary skill in the art to modify the teachings of LA PAGE/KENNEDY with tension pulleys.

13. With regards to claim **4** LA PAGE teaches the towel being passed through brushes, the brushes rotating and the brushes being in opposed relation (**column 7 lines 11-20 and column 3 lines 28-41**).

14. With regards to claim **5** LA PAGE discloses the towel passing between the drying drum (**column 3 line 72- column 4 line 7**). LA PAGE remains silent on the ability of the drying drum to rotate in the opposite sense. However, one skilled in the art would have found it obvious to make the drum rotatable in said directions. Furthermore, the ability for drum to rotate in the clockwise and counter clockwise direction is known in the art.

15. KENNEDY teaches rollers that can move in two directions (**column 8, lines 9-16 and lines 23-28**). Since the towel is a continuous textile, the two directional rotation of the rollers would require the drum to be rotational in two directions as well when in a complete circuit. Therefore, since LA PAGE teaches the towel presenting device and KENNEDY teaches the multi directional rollers in a towel presenting device it would have been obvious at the time the invention was made to one with ordinary skill in the art to modify the teachings of LA PAGE to include rollers that are rotatable in a clockwise and counter-clockwise direction because it would minimize towel rotation while exposing the desired area of the towel to the user.

Art Unit: 1792

16. With regards to claim **7** LA PAGE teaches a replenishable detergent container in liquid communication with said bath **(column 5 line 60- column 6 line 5)**.

17. With regards to claim **8** LA PAGE teaches the inlet and outlet ports being fitted with electrical actuatable valves, controllable by said controller **(column 5 lines 50-65 and column 6 lines 34-63)**.

18. With regards to claim **9** LA PAGE teaches the use of liquid level sensors in the bath **(column 6 line 63- column 7 line 1)**.

19. With regards to claim **10** LA PAGE teaches the use of a length dispensing control associated with one of the rollers **(column 4 lines 47-63)**.

20. With regards to claim **11** LA PAGE teaches presenting a clean towel section for drying purposes **(column 1 lines 1-6)** and for washing and drying soiled towel sections in a towel presenting and washing machine **(column 1 lines 7-21)**. LE PAGE teaches the steps of providing a towel dispenser having a first and second rollers **(column 2 lines 21-29 and column 3 lines 3-12)** and a washing chamber **(column 3 lines 3-12)**, presenting a user with a towel section by rolling said section off said first roller by rotation **(column 2 lines 21-29)**, transferring said section after use to said washing chamber containing cleaning liquid to be soaked and washed by the cleaning liquid **(column 3 lines 3-26)**, transferring said soaked section to a second roller by rotating it **(column 3 line 72- column 4 line 26)**, and drying said washed and rinsed towel section while rolling it up on said roller for further use **(column 4 lines 14-46)**.

21. LA PAGE does not explicitly teach emptying said washing chamber from cleaning liquid and filling in rinsing liquid. However LA PAGE teaches the wash

Art Unit: 1792

chamber being emptied and refilled with fluid (**column 5 lines 50-60**). It would have been obvious at the time the invention was made to one with ordinary skill in the art that the wash tank taught by LE PAGE could be refilled with rinsing liquid to allow a more compact cleaning system.

22. While teaching the towel washer and dispenser, LA PAGE remains silent on the ability of the second roller to rotate in two directions. However, one skilled in the art would have found it obvious to make the rollers rotatable in two directions. Furthermore, the ability for rollers to rotate in two directions is known in the art.

23. Furthermore, KENNEDY teaches rollers that can move in two directions (**column 8, lines 9-16 and lines 23-28**). Therefore, since LA PAGE teaches the towel presenting device and KENNEDY teaches the multi directional rollers in a towel presenting device it would have been obvious at the time the invention was made to one with ordinary skill in the art to modify the teachings of LA PAGE to include rollers that are rotatable in a two directions and that the towel would be rinsed in the washing chamber when the second roller rotated in an opposite direction. One with ordinary skill in the art at the time then invention was made would know that it would be beneficial to have rollers that are rotatable in two directions and a towel that would be rinsed in the washing chamber because it would provide for a more compact cleaning system.

24. With regards to claim **13**, LA PAGE modified by KENNEDY teaches the limitations of claim 11 but does not teach the speed of the rollers being smaller during rinsing and drying than during soaking and washing. However it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify



Art Unit: 1792

the method taught by LA PAGE and KENNEDY to include a shorter speed during rinsing and drying. One with ordinary skill in the art at the time the invention was made would find it beneficial to have a slower roller time during drying and rinsing than washing and soaking because it would allow for assurance that the towel is free of particles and completely dry.

25.

26. With regards to claim **14** LA PAGE teaches the washing chamber being connected to a water and detergent source and a predetermined amount of liquid and detergent being selectively automatically introduced into the chamber (**column 5 lines 50-75 and claim 8**).

27. With regards to claim **15** LA PAGE remains silent on the washing chamber being emptied before rinsing and drying operations commence. However, one skilled in the art would have found it obvious to empty the washing chamber before rinsing and drying to prevent cross contamination if the towel were to be rinsed in the wash chamber of the apparatus of LE PAGE modified by KENNEDY.

28. With regards to claim **16** LA PAGE teaches the washing by two oppositely rotatable brushes (**column 7 lines 11-20 and column 3 lines 28-41**).

29. With regards to claim **17** LA PAGE teaches the use of a drying drum (**column 3 line 71- column 4 line 14**). Although LA PAGE does not teach the use of a second drum the mere duplication of parts has no patentable significance unless a new and unexpected result is produced. *See MPEP 2144.04 VI B*. It would have been obvious at the time the invention was made to one with ordinary skill in the art to make the two

Art Unit: 1792

drums oppositely rotatable because it would each side of the towel to be exposed to the drum.

30. Claim **6** is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2295955 to LA PAGE in view of U.S. 5244263 to KENNEDY as applied to claim 1 above, and in further view of U.S. 4104814 to WHIGHT.

31. With regards to claim 6 LA PAGE does not teach a heater located inside the bath. However, one skilled in the art would have found it obvious to use a heater in the bath to help clean the soiled towel. Furthermore, it is known in the art to use heat with a cleaning solution of a towel presenting apparatus as shown by WHIGHT (**column 3 lines 2-10**). It would have been obvious at the time the invention was made to one with ordinary skill in the art to modify the teachings of LA PAGE/KENNEDY with a heater in the bath for enhanced cleaning of the towel.

32. Claim **12** is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 2295955 to LA PAGE in view of U.S. 5244263 to KENNEDY as applied to claim 11 above, and further in view of U.S. Patent Application Publication 20030160107 to HARRIS.

33. LA PAGE modified by KENNEDY teaches the limitations of claim 11 but does not teach the washing and drying being effected at a select hour of day and night. However it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the apparatus operable at a select hour of day and night. Furthermore, HARRIS demonstrates that it is well known to have a system that is activating an apparatus at a specific date and time. One with ordinary skill in the art at

Art Unit: 1792

the time the invention was made would find it obvious to modify the method of LA PAGE and KENNEDY to be operable at a select hour as taught by HARRIS.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KATELYN WHATLEY whose telephone number is (571)270-5545. The examiner can normally be reached on Monday-Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Kornakov can be reached on (571)272-1303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KATELYN WHATLEY/  
Examiner, Art Unit 1792

Application/Control Number: 10/595,661

Page 11

Art Unit: 1792

/Michael Kornakov/  
Supervisory Patent Examiner, Art Unit 1792